

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

TAMARA CALES,)	
)	
Plaintiff,)	
)	
v.)	No. 5:13-cv-02609-JMC-KDW
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her undersigned attorneys, William N. Nettles, United States Attorney for the District of South Carolina, and Marshall Prince, Assistant United States Attorney for said district, has moved this court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter judgment with an order remanding the case to the Commissioner for further administrative proceedings. ECF No. 10.¹

On order of the court, the agency's Appeals Council will remand the case to an ALJ with instructions to hold a hearing, evaluate the new evidence submitted to the Appeals Council (specifically, the September 6, 2012 opinion of Pamela A. Clark, M.D.), and to further evaluate the medical and other opinions of record, explaining the reasons for the weight given to these opinions. The ALJ will also be instructed to give further consideration to the report from Robyn Bennett, Plaintiff's teacher.

Plaintiff's counsel, Paul Townsend McChesney, stated that Plaintiff consents to remand on this basis.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this court hereby

GRANTS the Motion to Remand, ECF No. 10; and **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

May 1, 2014
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

¹ The Clerk of the Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.